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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,797	02/16/2005	Kim Simelius	915-006.049	6574
4955 7590 11/14/2007 WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP BRADFORD GREEN, BUILDING 5 755 MAIN STREET, P O BOX 224 MONROE, CT 06468			EXAMINER LEE JR, KENNETH B	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 11/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/506,797

Applicant(s)

SIMELIUS, KIM

Examiner

Kenneth B. Lee

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6-9,16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6-9,16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 6-9, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Oiwa et al., JP 11355432.

Regarding claim 1, Oiwa et al. disclose changing the input states of an electronic device that comprises input means and has the capability of carrying out user operations (0014). Oiwa et al. disclose that the input states compromise a locked state and an unlocked state enterable by their respective locking and unlocking inputs (0014). Oiwa et al. further discloses and intermediate unlocking state that contains a different input from the unlocking input (0016). Oiwa et al. disclose that once the intermediate unlocked state has been entered, the termination of the user operation is detected based upon a specific group of input operations, and the locked state is entered upon detection (0019).

Regarding claim 6, Oiwa et al. disclose the processing of the operation data using a plurality of computer readable mediums (0013).

Regarding claim 7, Oiwa et al. disclose a device that performs the functions of claim 1 (0010).

Regarding claim 8, Oiwa et al. disclose memory (0013).

Regarding claim 9, Oiwa et al. disclose a timer (0018).

Regarding claim 16, Oiwa et al. disclose a timer (0018).

Response to Arguments

2. Applicant's arguments with respect to claims 1, 6-9, 16 and 17 have been considered but are moot in view of the new ground(s) of rejection presented above.

Regarding claim 1, applicant argues **such an intermediate unlocked state is not taught or suggested by Oiwa**. As stated in the original rejection for claim 2 which describes an intermediate unlocked state, Namekawa describes this feature above. Applicant also argues that **detecting termination of a user operation in an intermediate unlocked state where the user operation is other than the locking input and being one of the group of completing user operation by a predetermined number of input operations, canceling user operation and detecting an unexpected user input**. As stated in the original rejection, the use of the "end" key is an inherent predetermined input operation that causes termination of user operation.

Regarding claim 6, applicant argues **claim is believed to be not anticipated by Oiwa since it recites a computer program product for carrying out the method of claim 1**. However, Oiwa does disclose a computer program product that carries out these operations (0013).

Regarding claim 7, applicant has amended the claim with respect to claim 1; therefore, it is rejected under the same grounds as claim 1 stated above.

Since independent claims 1 and 7 are rejected, dependent claims 8, 9, and 16 are also rejected.

Regarding claim 17, applicant discloses **means plus function terminology**. Independent claims 1 and 7 state the means for the invention and claim 17. Therefore, since those claims are rejected, claim 17 is rejected as well according to the reasons stated above.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kenagy et al. discloses a wireless communication device that includes a manual input device, a key lock memory, and a key lock processor in US Patent # 6,449,492. Any inquiry concerning this communication or earlier

Art Unit: 2629

communications from the examiner should be directed to Kenneth B. Lee whose telephone number is 571-270-3147. The examiner can normally be reached on Mon. - Fri. 7:30AM - 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Eisen can be reached on 571-272-7687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Alexander Eisen
SPE
Art Unit 2629

KBL